

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**DOCKET NO. 3:12cr76-MOC**

|                                  |   |                              |
|----------------------------------|---|------------------------------|
| <b>UNITED STATES OF AMERICA,</b> | ) |                              |
|                                  | ) |                              |
| <b>Plaintiff,</b>                | ) |                              |
|                                  | ) |                              |
| <b>JUDGMENT</b>                  | ) | <b>FINAL ORDER AND</b>       |
| <b>v.</b>                        | ) | <b>CONFIRMING FORFEITURE</b> |
|                                  | ) |                              |
| <b>DANIEL TURNER,</b>            | ) |                              |
|                                  | ) |                              |
| <b>Defendant.</b>                | ) |                              |
| _____                            | ) |                              |

**THIS MATTER** is before the court on the government's Motio for Final Order and Judgment Confirming Forfeiture. On March 5, 2013, this Court entered an Amended Preliminary Order of Forfeiture pursuant to 21 U.S.C. § 853 and Fed. R. Crim. P. 32(d)(2), based upon the Defendant's plea of guilty to Counts One and Two in the Bill of Indictment and evidence already on record; and was adjudged guilty of the offenses charged in those counts.

On March 6, 2013 through April 4, 2013, the United States published via [www.forfeiture.gov](http://www.forfeiture.gov), notice of this forfeiture and of the intent of the government to dispose of the forfeited property according to law, and further notifying all third parties of their right to petition the Court within sixty days from March 6, 2013 for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such petitions have been filed. Based on the record in this case, including the defendant's plea of guilty, the Court finds, in accordance with Rule 32.2(c)(2), that the Defendant had an interest in the property that is forfeitable under the applicable statute.

Defendant has responded to the present motion and reiterated his concerns about the

preservation of evidence pending any appeal. The government has not responded. Consistent with the court's Preliminary Order of Forfeiture (#20), the court will include in its Order an explicit requirement that the hard drive (or a mirror image forensic drive) be maintained until judgment becomes final.

### **ORDER**

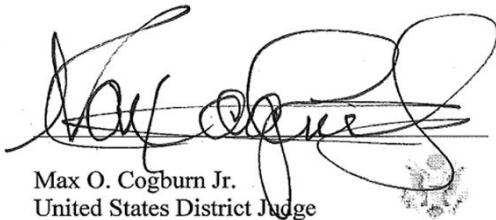
It is therefore **ORDERED**, effective as of the date of sentencing:

In accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture is confirmed as final. All right, title, and interest in the following property, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

**One HP Pavilion Slimline computer, serial number CNX8241G3G**

The government shall preserve the hard drive (or a mirror image forensic drive) until Defendant's appeal rights have been exhausted.

Signed: July 22, 2013



Max O. Cogburn Jr.  
United States District Judge